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DOCKET NO.: D0188.70166US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Field, et al.  
Serial No.: 10/051,322  
Confirmation No.: 7967  
Filed: January 18, 2002  
For: SURGICAL SUTURING INSTRUMENT AND METHOD  
OF USE  
Examiner: Glenn K. Dawson  
Art Unit: 3731

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**MAIL STOP RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114. No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>
10/014991	12/11/01
10/141692	05/07/02
10/202530	07/23/02
10/243556	09/13/02
10/352600	01/28/03
10/378805	03/04/03
10/396927	03/25/03
10/440805	05/19/03
10/441652	05/19/03
10/667845	09/22/03
10/681626	10/08/03
10/737197	12/16/03
10/760634	01/20/04
10/764837	01/26/04
10/848512	05/18/04
10/897975	07/23/04
10/919792	08/17/04

The following are remarks concerning the other information cited:

### PART III Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).


By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

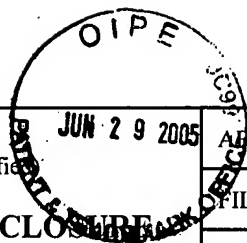
An early and favorable action is hereby requested.

Respectfully submitted,

By:

  
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Docket No.: D0188.70166US01  
Date: June 29, 2005  
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<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		APPLICATION NO.: 10/051,322	ATTY. DOCKET NO.: D0188.70166US01
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**U.S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
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Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
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Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		DE	2927143	A1	Chirurgisches Instrument, insbesondere zumzum Annähen von Herzschrittmachern	1/24/1980	N
		EP	121362	A1	Ethicon Inc.	10/10/1984	N
		EP	216532	A1	United States Surgical Corp.	4/1/1987	N
		EP	646356	A2	Ethicon Inc.	4/5/1995	N
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		EP	741996	A2	Ethicon Endo-Surgery, Inc.	11/13/1996	N
		GB	2025236	A	Cordis Corp.	1/23/1980	N
		WO	02/34167	A2	St. Jude Medical, Inc.	5/2/2002	N
		WO	02/43569	A2	Intuitive Surgical, Inc.	6/6/2002	N
		WO	03/101313	A1	Cerebral Vascular Application, Inc.	12/11/2003	N
		WO	93/16644	A1	Medical Technology Corp.	9/2/1993	N

<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/051,322		ATTY. DOCKET NO.: D0188.70166US01		
				FILING DATE: January 18, 2002		CONFIRMATION NO.: 7967		
				APPLICANT: Field, et al.				
				GROUP ART UNIT: 3731		EXAMINER: Glenn K. Dawson		
Sheet	8	of	8					

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		WO	95/18572	A1	AlphA Surgical Technologies, Inc.	7/13/1995	N
		WO	96/10957	A1	KLIEMAN, Charles	4/18/1996	N
		WO	96/27331	A1	YOON, InBae	9/12/1996	N
		WO	98/11829	A1	Symbiosis Corp.	3/26/1998	N

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
		"VCS Clip Applier System," <u>Auto Suture Company, A Division of United States Surgical Corporation ("USSC"), ©1995</u>	
EXAMINER:			DATE CONSIDERED:

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]